

# FISCAL NOTE

**Bill #:** HB0489

**Title:** Continue state assumption of civil jury trial costs

**Primary Sponsor:** Lehman, L

**Status:** As Introduced

|                   |      |                                 |      |
|-------------------|------|---------------------------------|------|
| Sponsor signature | Date | Chuck Swysgood, Budget Director | Date |
|-------------------|------|---------------------------------|------|

## Fiscal Summary

|  | <u>FY 2003<br/>Difference</u> | <u>FY 2004<br/>Difference</u> | <u>FY 2005<br/>Difference</u> |
|--|-------------------------------|-------------------------------|-------------------------------|
| <b>Expenditures:</b>                       |                               |                               |                               |
| General Fund                               | \$37,350                      | \$149,397                     | \$149,397                     |
| <b>Revenue:</b>                            |                               |                               |                               |
| General Fund                               | \$0                           | \$0                           | \$0                           |
| <b>Net Impact on General Fund Balance:</b> | (\$37,350)                    | (\$149,397)                   | (\$149,397)                   |

- |   |  |
|---|--|
| <input type="checkbox"/> Significant Local Gov. Impact    | <input checked="" type="checkbox"/> Technical Concerns           |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts           |
| <input type="checkbox"/> Dedicated Revenue Form Attached  | <input checked="" type="checkbox"/> Needs to be included in HB 2 |

## Fiscal Analysis

### ASSUMPTIONS:

1. This legislation will require the state to pay for all District Court expenses associated with civil jury trials.
2. Under current law, the state pays for expenses related to civil jury trials, if the county incurred expenses for civil jury trials out of its District Court budget in either FY 1998 or FY 1999.
3. District court expenses related to civil jury trials include jury fees, mileage, meals, and postage. Other costs, such as for witnesses, attorneys and court reporters, are paid for by the independent parties in the case.
4. There will be an estimated 82 trials in each year of the 2005 biennium. Of these, 25 trials will occur in counties that had a previous civil jury trial expense in FY 1998 or FY 1999 and, therefore, are already a state expense. For the remaining 57 trials, the state would now be responsible for the costs.
5. The cost per trial is estimated to be \$2,621. The total estimated costs to the state for these civil jury trials would be \$149,397.

**Fiscal Note Request HB0489, As Introduced**  
(continued)

FISCAL IMPACT:

| <b>Judiciary – Program 04</b>  | <u>FY 2003<br/>Difference</u> | <u>FY 2004<br/>Difference</u> | <u>FY 2005<br/>Difference</u> |
|--|-------------------------------|-------------------------------|-------------------------------|
| <u>Expenditures:</u>   |                               |                               |                               |
| Operating Expenses   | \$37,350                      | \$149,397                     | \$149,397                     |
| <u>Funding of Expenditures:</u>  |                               |                               |                               |
| General Fund (01)  | \$37,350                      | \$149,397                     | \$149,397                     |
| <u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u> |                               |                               |                               |
| General Fund (01)  | (\$37,350)                    | (\$149,397)                   | (\$149,397)                   |

TECHNICAL NOTES:

1. This bill is effective on passage and approval. That means that about 25 percent of the projected annual impact could occur in FY 2003. Since it is not likely that a general fund supplemental appropriation of \$37,350 will be approved for FY 2003, the sponsor may wish to make the bill effective July 1, 2003.